

REMARKS

Claim 1 has been amended to include the recitations in claim 9, which has been canceled. Claim 1 has also been amended to recite “the zirconia sintered body contains a stabilizer and an amount of the stabilizer in the zirconia sintered body is about 2% by weight or more and 5.25% by weight or less.” Support for this amendment can be found in Example 1 on page 12 of the specification.

Upon entry of the Amendment, claims 1-7 and 10-13 are pending in the application.

Claims 1-7, 9 and 10 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ghosh et al., U.S. Patent No. 5,336,282 (“Ghosh”).

Applicants’ claim 1 recites that “the zirconia sintered body contains a stabilizer and an amount of the stabilizer in the zirconia sintered body is about 2% by weight or more and 5.25% by weight or less.”

Ghosh discloses a zirconia ceramic powder containing 8.8 wt% of a stabilizer (Y_2O_3) (see Example 1 and pages 5 and 6 of the Amendment under 37 C.F.R. § 1.111 filed on June 16, 2005). The amount of stabilizer (Y_2O_3) disclosed in Ghosh is outside Applicants’ claimed range. Accordingly, Applicants submit that Ghosh does not anticipate the presently claimed invention.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 1-7, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ghosh et al., U.S. Patent No. 5,336,282 (“Ghosh”).

The Examiner asserts that Ghosh discloses a lower limit for the stabilizer as 3 mol% and the amount of stabilizer (Y_2O_3) disclosed by Ghosh overlaps the range recited in Applicants' claim 1. However, the amount of stabilizer (Y_2O_3) does not overlap Applicants' claimed range.

A ceramic containing 3 mol% Y_2O_3 and 97 mol% ZrO_2 converts to 5.36 wt% Y_2O_3 ($= (3 \text{ mol\%} \times 225.82) / (3 \text{ mol\%} \times 225.82 + 97 \text{ mol\%} \times 123.22)$) and 94.64 wt% ZrO_2 , and thus an amount of Y_2O_3 is more than 5.25 wt%.

Further, Ghosh discloses that the zirconia sintered body may include MgO or CaO as a stabilizer. In contrast, the zirconia sintered body recited in amended claim 1 does not include CaO or MgO as a stabilizer.

In view of the above, independent claim 1 would not be obvious over Ghosh. Additionally, claims 2-7 and 10 depend from independent claim 1, which we do not believe to be anticipated or obvious over Ghosh. Thus, these claims are patentable at least by virtue of their dependency.

In view of the foregoing, Applicant submit that the presently claimed invention would not be obvious in view of Ghosh. Reconsideration and withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

U.S. Appln. No.: 10/785,084
Amendment under 37 C.F.R. § 1.114(c)

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

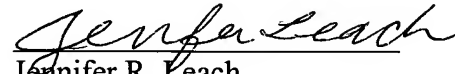
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